

REMARKS

Reconsideration of the application is respectfully requested in light of the amendments to the application.

Claims 1-2, 6-7 were rejected under 35 USC 102(b) as being anticipated by the submitted prior art Lggulden (US 5,692,093). Applicant respectfully disagrees.

The claimed invention is patentably distinct from Lggulden US 5,692,093 ('093) as follows: Lggulden '093 uses the notion of "omitting certain programme content"; at some other places, "eliminating" is also used, see for example column 1, lines 13 to 16 in Lggulden. Inspection of the entire text of Lggulden '093 shows, however, that what actually and consistently is meant by "omitting"/"eliminating" is "fast scanning" past an undesired content. See column 3, lines 45 and 66; column 5, line 47, column 6, lines 19, 21, 49 and 63; column 10, lines 1 and 6; column 15, lines 45 to 46; and column 17, line 22. Particular attention is directed to column 6, line 19 (6/19) and column 15, lines 45-46 (15/45~46) which describe "...to scan past (i.e., skip)..." and "...fast SCAN mode (i.e., there is a commercial cluster to be eliminated)...", respectively. In these, the "i.e." clearly proves the equivalence assumed in Lggulden '093 between the notion of omitting/eliminating a content and its realization as fast scanning past that content. Nowhere does Lggulden '093 disclose or suggest that the playback device should actually SKIP the undesirable parts in the sense that the desirable parts from before and after the undesirable should be transitioned seamlessly.

In the present application, the inventive feature is described as "masking out" certain programme parts, (page 2 line 13) and page 11, line 6 (page 11 line 6), "suppressing the reproduction" (page 2, line 27), "packing [the desirable content from before and after the undesirable one] without interruption by undesirable parts" (page 2 lines 31~32), "data cells for advertising blocks are eliminated" (page 3 lines 13~14), "jump information ... readout unit ... moves" (page 3 lines 21~25) and (page 14 lines 18~22), "improvement ... seamless transition from a video scene prior to ... to ... subsequent scene after..." (page 5 lines 1~4), "data ... are skipped and after the reproduction of the last [desirable] data ... reproduction of the first [desirable] data [after the undesirable] begins directly" (page 9 lines 12~17).

In order to better emphasize this inventive aspect over Lggulden '093, claim 1 has been amended from "suppressing the reproduction" into "completely avoiding any kind of reproduction".

Claims 7 and 8, by reciting "...reproducing without the programme parts identified" and "packed ... without the interruptive programme parts", respectively, already emphasize substantially the patentable difference explained above.

Claim 3 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the submitted prior art of Lggulden (US 5,692,093) in view of submitted prior art Kawamura (WO 97/06531). Applicant respectfully disagrees. The arguments respecting the rejection based on Lggulden have been presented above and apply to this rejection. Kawamura et al clearly assume a context of authored, prerecorded media, hence their "device for providing an information carrier" in their claim 18 does not have the elements of our claim 1 as "firstly recording the program ... the process of recording is followed by the starting of a search...".

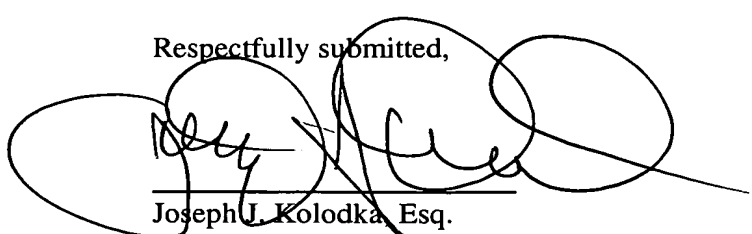
The rejection of claims 4-5 and 8-9 under 35 U.S.C. 103(a), as being unpatentable over Lggulden and Kawamura as applied to claim 3 and further in view of Official Notice, is addressed by the patentable distinctions discussed above with respect to Lggulden and Kawamura.

In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

In the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 07-0832.

4 June 2004

Respectfully submitted,



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